



Associated Students of The University of Montana

EXHIBIT 12
DATE 2/18/2011
HB 516

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Submitted By: Jenifer Gursky
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Dear Chairman Peterson and Members of the Committee:

My name is Jenifer Gursky and I am a student at the University of Montana, representing the Associated Students of The University of Montana. ASUM currently represents over 15,000 students and maintains a strong commitment to diversity amongst our campus members.

During this legislative session, there have been bills expressly presented to limit the perceived overreaching bounds of the federal government. House Bill 516 does exactly this as it ties the hands of our local law makers who attempt to represent the dynamic cultures of each community of Montana on a local basis. House Bill 516 exerts a state government control over the local wishes of the people. Further, the bill denies rights of individuals the community of Missoula and of The University of Montana call neighbors, call students.

The University of Montana and ASUM have worked in partnership in recent years to decisively create an environment that not only celebrates diversity, but identifies what a safe community for diversity looks like. The Missoula City Ordinance Number 3428 is a 'non-discriminatory' ordinance, adding gender expression, gender identity, and sexual orientation to a diversity definition that begged for our community to acknowledge. Sitting beside students who feel safe to ride a bus, eat in a restaurant, participate in city sports, and rent an apartment means we are able to sit beside a variety of students who enhance our educational experience. ASUM acknowledges our City Ordinance as one step closer is solidifying The University of Montana's commitment to diversity and a safe learning environment.

House Bill 516, while it threatens to take away new city legislation that held a favorable vote of 10-2, threatens to strip local autonomy. Missoula is a thriving, diverse culture that doesn't need a state mandate to say who we should protect. Just as members of this legislative body feels the federal government is overreaching in mandated legislation, please follow your ideological suit and refuse a state level mandate that would strip local control over local culture.

The Associated Students of the University of Montana oppose this bill. Senate Bill 18-10/11 was passed Wednesday, February 16, 2011 with unanimous consent. The governing body of 15,000 students unanimously, and might I add strongly, oppose House Bill 516.

The Associated Students of The University of Montana
Resolution Regarding Legislative Session
February 16, 2011
Senate Bill SB18-10/11
Authored by: Travis Suzuki, ASUM Senator

Whereas the City of Missoula passed City Ordinance Number 3428, An Ordinance of the Missoula City Council, Amending Missoula Municipal Code Title 9 Public Peace, Morals and Welfare to Add Chapter 9.64 Entitled "Illegal Discrimination" Generally Prohibiting Discriminatory Practices in the Areas of Employment, Public Accommodations and Housing on the Basis of Race, Color, National Origin, Ancestry, Religion, Creed, Sex, Age, Marital or Familial Status, Physical or Mental Disability, Sexual Orientation, Gender Identity, or Gender Expression, on April 13, 2010;

Whereas City Ordinance 3428 defines "Gender identity or expression" as a gender-related identity expression, or behavior, regardless of the individual's sex at birth and "Sexual orientation" means heterosexuality, bisexuality, or homosexuality;

Whereas the City of Missoula possesses a culture unique to other population centers within the State of Montana;

Whereas HB 516, An Act Prohibiting Local Governments from Enacting Ordinances, Resolutions, or Policies that Contain as a Protected Class and Classification not Specifically Included as a Protected Class Under State Law and Providing an Immediate Effective Date and a Retroactive Applicability Date, would nullify the existing Missoula City Ordinance;

Whereas the University of Montana is committed to providing a safe and non-discriminatory environment for students regardless of race, gender, ethnicity, military service, or sexual orientation;

Whereas the University of Montana has released an updated version of the Diversity Plan in 2010;

Whereas the Diversity Plan states in the Fifth Initiative to Embrace Diversity and Global Engagement by "Provide a dynamic educational environment by respecting, welcoming, encouraging and celebrating diversity in all its forms." and "Create a campus climate that respects and celebrates diversity, and rewards enhancement of diversity by individuals and at the department level.";

Whereas the Associated Students of the University of Montana unanimously passed SB4-10/11 'Resolution Regarding The University Diversity Plan' on September 29, 2010;

Whereas the Associated Students of the University of Montana has previously supported the LGBTQQI Community through many campaigns such as the It Gets Better Project;

Therefore, Let It Be Resolved that the Associated Students of the University of Montana does not support the passage of HB 516;

Therefore, Let It Be Further Resolved that the Associated Students of the University of Montana endorses Missoula City Ordinance 3428;

Therefore, Let It Be Further Resolved that the Associated Students of the University of Montana instruct Student Lobbyist Jenifer Gursky to oppose HB 516.

Passed by Committee: Feb 15, 2011

Passed by ASUM Senate: Feb 16, 2011

Travis Suzuki,
Relations and Affairs Chair

Amanda Stovall,
Chair of the Senate